

## Message Text

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ACTION EUR-12

INFO OCT-01 IO-10 ISO-00 CU-02 CIAE-00 DODE-00 PM-03 H-02

INR-07 L-02 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 ACDA-05 TRSE-00 SAJ-01 SAM-01 OIC-02 /078 W

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P R 261115Z PR 75

FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 2414

INFO AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO

USMISSION BERLIN

C O N F I D E N T I A L GENEVA 2963

EO 11652: XGDS-1

TAGS: CSCE, PFOR, SG

SUBJ: CSCE POLICY: QUADRIpartite RIGHTS AND RESPONSIBILITIES

1. SUMMARY. AT QUADRIpartite DINNER APRIL 25, FRENCH DELEGATION HEAD ANDRE, SUPPORTED BY US AND UK, STRESSED STRONG OPPOSITION WHICH EXISTED AMONG NEUTRALS TO FRENCH QRR TEXT, VARIOUS ALTERNATIVE QUALIFICATIONS TO TERM "RESPONSIBILITIES" SUGGESTED BY NEUTRALS, AND NEED FOR FOUR POWERS TO AGREE ON SOME MINIMAL CHANGE IN TEXT IN ORDER TO OBTAIN CONSENSUS. KOVALEV EMPHASIZED SOVIET DOUBTS THAT ALL POSSIBILITIES FOR GAINING ACCEPTANCE OF PRESENT TEXT HAD BEEN EXHAUSTED, ASSESSED NEUTRAL OBJECTIONS OF "DEEP BUT NOT WIDE", AND SUGGESTED FOUR POWER OR BROADER CO-SPONSORSHIP OF PRESENT FRENCH TEXT, COMBINED WITH AGREEMENT TO PLACE IT IN DECLARATION FINAL CLAUSES, AND FOUR POWER JOINT MEETINGS WITH THE NEUTRALS, AS MEANS OF MOVING AHEAD. SOVIETS REACTED NEGATIVELY TO POSSIBLE AMENDMENTS. ALLIED AMBASSADORS EXPRESSED DOUBTS ABOUT WIDER CO-SPONSORSHIP, UNLESS IT WOULD BE CO-SPON-  
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SORSHIP OF A TEXT MODIFIED marginally TO SHOW EFFORT TO MEET NEUTRALS. ANDRE INDICATED THAT A FOUR POWER PANEL DISCUSSION WITH NEUTRALS WAS A POSSIBILITY. SOVIETS AGREED TO REPORT TRIPARTITE ASSESSMENT, TOGETHER WITH VARIATIONS OF PRESENT TEXT WHICH NEUTRALS HAD SUGGESTED, TO MEET AGAIN QUADRIpartitely FOR LUNCH, MAY 1, AND SEEMED CONCERNED ABOUT NEED TO MOVE QUICKLY ON QRR TEXT. REQUEST GUIDANCE BY MAY 1. END SUMMARY.

2. AT QUADRIpartite DINNER APRIL 25 (FRANCE, UK, US, USSR) FRENCH AMBASSADOR ANDRE TOOK LEAD IN BRIEFING SOVIETS ON ALLIES' PESSIMISTIC ASSESSMENT OF CHANCES FOR ACCEPTANCE OF PRESENT FRENCH TEXT. HE LISTED NEUTRAL OBJECTIONS AS RELATING TO "RESPONSIBILITIES" AND "OR WHICH CONCERN THEM", AND NOTED THAT NEUTRALS DID NOT ALL HAVE THE SAME PROBLEMS, BUT STRESSED THEIR SOLIDARITY. HE LISTED THREE QUALIFICATIONS OF "RESPONSIBILITIES" WHICH HAD BEEN PUT FORWARD BY VARIOUS OF THE NEUTRALS: "SPECIFICALLY DEFINED", "RECOGNIZED", OR "UNDER INTER-NATIONAL LAW". ANDRE SUGGESTED IT WOULD BE WISE TO REFLECT ON THESE AND ANY OTHER IDEAS USSR OR OTHERS MIGHT HAVE FOR OBTAINING APPROVAL OF QRR TEXT. ANDRE STRESSED THAT FRENCH COULD ONLY CONSIDER AMENDING ONE PART OF TEXT, REFERENCE TO RESPONSIBILITIES, AND COULD NOT CONSIDER CHANGING BASIC STRUCTURE OF SENTENCE. AMBASSADORS HILDYARD AND SHERER SUPPORTED FRENCH ASSESSMENT OF NEGOTIATING SITUATION AND NEED TO CONSIDER SOME AMENDMENT.

3. KOVALEV, WHO DID NOT SEEM TO BE HEARING ANY OF THIS FOR FIRST TIME, ARGUES THAT STRENGTH OF OPPOSITION TO QRR TEXT WAS NOT YET FULLY GUAGED, THAT SOME NEUTRALS WERE DEEPLY OPPOSED, BUT OPPOSITION WAS NOT WIDESPREAD AMONG NEUTRALS, EXCEPT, PERHAPS, BY WAY OF SOLIDARITY. KOVALEV AND SOVIET PRINCIPLES NEGOTIATOR (MENDELEVICH) ARGUED FOR BROADENING CO-SPONSORSHIP OF QRR TEXT, OFFERING TO JOIN AS SPONSOR ON MONDAY, APRIL 28, AND SUGGESTING THAT ALL FOUR, OR SIX, JOIN, AND THAT EFFORTS BE MADE TO OBTAIN NEUTRAL CO-SPONSORS. SOVIETS CULD NOT, HOWEVER, SUGGEST LIKELY CANDIDATE AMONG NEUTRALS. SOVIETS ALSO ARGUED FOR QUADRIpartite COORDINATED EFFORTS IN NEUTRAL CAPITALS AS WELL AS QUADRIpartite DISCUSSIONS WITH NEUTRAL DELEGATIONS

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IN GENEVA. ANDRE EXPLAINED STRONG NEGATIVE REACTION FRENCH HAD ALREADY RECEIVED IN NEUTRAL CAPITALS. US, WITH UK AND FRENCH SUPPORT, EXPRESSED VIEW THAT QUADRIpartite DEMARCHES TO INDUCE NEUTRAL ACCEPTANCE OF PRESENT TEXT WOULD, IN SOME CAPITALS, BE COUNTERPRODUCTIVE. FURTHER, FRENCH EXPRESSED DOUBTS THAT FRG WOULD BE WILLING TO GO BEYOND INFORMAL "UNDERWRITING" OF QRR TEXT REPRESENTED

BY SIX POWER STATEMENT IN PRINCIPLES SUBCOMMITTEE JOURNAL OF APRIL 18 (SEE GENEVA 2788), FRENCH EXPRESSED VIEW, WITH US AND UK SUPPORT, THAT FOUR POWER OR WIDER CO-SPONSORSHIP OF PRESENT TEXT WOULD LOCK US IN PUT OUR BACKS TO THE WALL, AND BE VIEWED AS EFFORT TO FORCE MATTERS, RATHER THAN NEGOTIATE. FOUR POWER CO-SPONSORSHIP, ALLIES ARGUED, WOULD BE MORE PRODUCTIVE POSSIBILITY IF IT WERE OF A TEXT MAKING BOW TO NEUTRALS' CONCERNS. IN RESPONSE TO ANDRE'S SUGGESTION THAT SOVIETS PROPOSE AMENDMENT TO FRENCH QRR TEXT, AS MEANS OF DISPELLING SUSPICION, SOVIETS CANDIDLY REMARKED THAT THEIR INTRODUCTION OF A CHANGE MIGHT MAKE THAT CHANGE MORE SUSPECT.

4. SOVIETS WERE NEGATIVE AND PREPARED WHEN ANDRE SKETCHED OUT THE THREE QUALIFICATIONS OF "RESPONSIBILITIES" WHICH NEUTRALS HAD SUGGESTED. FIRST, THEY ASKED IF WE COULD BE CERTAIN ANY OF THESE CHANGES WOULD GUARANTEE ACCEPTANCE OF TEXT, TO WHICH FRENCH HAD TO RESPOND NEGATIVELY. THEN THEY GAVE "PRELIMINARY" RESPONSE TO EACH IDEA, ARGUING THAT EACH, IN EFFECT, DESTROYED THE "DELICATE" BALANCE OF THE FRENCH TEXT. FOCUSING ON "UNDER INTERNATIONAL LAW", SOVIETS EXPRESSED DOUBT THAT RIGHTS AND RESPONSIBILITIES OF FOUR POWERS UNDER THE UNCONDITIONAL SURRENDER OF GERMANY WERE "UNDER INTERNATIONAL LAW". US EXPRESSED THE CONTRARY LEGAL VIEW AND ASSURED SOVIETS THAT WE WERE SATISFIED THAT ALL OF THE PRESENT RIGHTS, OBLIGATIONS, AND RESPONSIBILITIES OF THE FOUR POWERS IN GERMANY WERE "UNDER INTERNATIONAL LAW", POINTING OUT THAT THE LAW INCLUDED ARTICLE 107 OF THE UN CHARTER. SOVIETS EXPRESSED INTEREST IN THIS ANALYSIS.

5. DISCUSSION OF NEUTRAL OBJECTIONS WAS AT TIMES EXCEEDINGLY FRANK, WITH FRENCH AMBASSADOR NOTING THAT SOME OF THOSE COUNTRIES CONCERNED WITH TEXT FEARED ITS USE TO JUSTIFY CONFIDENTIAL

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SOVIET INTERVENTION. SOVIETS REACTED WITH ADMIRABLE MILDNESS TO THIS, RESTRICTING THEMSELVES TO NOTING THAT "RESPONSIBILITIES" HAD NOT BEEN IN USSR TEXT, WAS NOT THEIR WORD OR NEEDED BY THEM, AND THEREFORE THERE WAS NO REASON FOR NEUTRALS TO FEAR SOVIET MOTIVES REGARDING THIS WORD. WHEN US PROBED TO SEE IF SOVIETS COULD DO WITHOUT "RESPONSIBILITIES" IN FRENCH TEXT, OR LIVE WITH A QUALIFICATION, SOVIETS REVERTED TO ARGUMENT THAT FRENCH TEXT WAS "AN IMPROVEMENT" ON ORIGINAL USSR PROPOSAL. (IT IS CLEAR THAT THEY HAVE BECOME ATTACHED TO IT, BUT ARE SOMEWHAT TRAPPED BY THEIR FAILURE TO INCLUDE IT IN THEIR OWN ORIGINAL PROPOSAL.)

6. IN SUMMING UP, KOVALEV EXCLUDED QUADRIPARTITE

DEMARCHES FROM THE PROPOSALS AND SUGGESTED THAT ALL CONSIDER AND REPORT TO CAPITALS ON (A) QUADRIpartite DISCUSSION WITH THE NEUTRALS IN GENEVA, (B) BROADER CO-SPONSORSHIP OF PRESENT TEXT AS WELL AS AGREEING TO ITS PLACEMENT IN FINAL CLAUSES, AND (C) THE POSSIBLE MINOR TEXTUAL AMENDMENTS REGARDING "RESPONSIBILITIES".

7. IN SUBSEQUENT TRIPARTITE DISCUSSION, IT WAS AGREED THAT FORMAL FRG CO-SPONSORSHIP WAS PROBABLY NOT OBTAINABLE, AND THAT THERE WAS SOME DOUBT ABOUT THE DESIRABILITY OF PUTTING THE FRG AND GDR ON THE LEVEL OF QRR TEXT CO-SPONSORS WITH THE FOUR POWERS. US AND UK SUGGESTED THAT FRENCH CONSIDER DOING AWAY ENTIRELY WITH "RESPONSIBILITIES" AND ACCEPTING, CONSEQUENTLY, DELETION OF OTHER PARTS OF TEXT SUCH AS "TO WHICH THEY ARE PARTY OR WHICH CONCERN THEM" (NOTE: FRG WOULD REQUIRE "OR WHICH CONCERN THEM" TO BE DELETED IF "RESPONSIBILITIES" GOES. FRG FEELS THAT OTHERWISE TEXT WOULD IMPLY THAT FRG STILL HAS LEGAL OBLIGATIONS STEMMING FROM POTSDAM PROTOCOL.) US EXPRESSED SERIOUS DOUBTS ABOUT POLITICAL EFFICACY OR DESIRABILITY OF TOO MUCH OF A FOUR POWER DEMONSTRATION IN CONNECTION WITH OBTAINING CONSENSUS ON TEXT, SUCH AS QUADRIpartite MEETING WITH NEUTRALS OR CO-SPONSORSHIP, A POINT WHICH SEEMED TO MEET WITH AGREEMENT. UK INFORMED UK AND FRENCH THAT LONDON IS HAVING SECOND THOUGHTS CONCERNING "UNDER INTERNATIONAL LAW" (SEE GENEVA 2915) AND HAS NOW SUGGESTED "UNDER INTERNATIONAL CONFIDENTIAL

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LAW OR IN CONFORMITY WITH IT". WE EXPRESSED PRELIMINARY VIEW THAT THIS APPEARED ACCEPTABLE.

8. REQUEST GUIDANCE PRIOR TO NEXT MEETING SCHEDULED MAY 1.  
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